



## **AMENDMENT REPORT**

### **CUSC Proposed Amendment CAP105**

#### **National Grid's Name Change**

*The purpose of this report is to assist the Authority in their decision of whether to implement Amendment Proposal CAP105*

Amendment Ref	CAP105
Issue	1.0
Date of Issue	03/11/05
Prepared by	National Grid

**I DOCUMENT CONTROL****a National Grid Document Control**

Version	Date	Author	Change Reference
0.1	24/10/05	National Grid	Draft for internal comment
1.0	3/11/05	National Grid	Formal version for submission to the Authority

**b Document Location**

Nation Grid Website:

<http://www.nationalgrid.com/uk/indinfo/cusc>

**c Distribution**

Name	Organisation
The Gas and Electricity Markets Authority	Ofgem
CUSC Parties	Various
Panel Members	Various
National Grid Industry Information Website	

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## 1.0 SUMMARY AND RECOMMENDATION

- 1.1 CAP105 was proposed by National Grid to reflect the recent name change of the Transmission Licence holder from National Grid Company plc (NGC) to National Grid Electricity Transmission plc (NGET).
- 1.2 CAP105 was submitted to the CUSC Amendments Panel for consideration at their meeting on 25th August 2005. The Amendments Panel determined that CAP105 was ready to proceed to wider industry consultation by National Grid.
- 1.3 The wider Consultation closed on Monday 3<sup>rd</sup> October 2005. National Grid proposed a Consultation Alternative Amendment to CAP105 and Centrica plc also proposed two further Consultation Alternative Amendments. A further period of Consultation was undertaken to allow the industry to consider the proposed Consultation Alternatives, which concluded on 20<sup>th</sup> October. One response was received, to this further Consultation, from Centrica. All the correspondence received in response to the Original and Alternative Consultations are contained in Annex 3.
- 1.4 National Grid's Consultation Alternative Amendment (A) was similar in substance to the Original Amendment. However it addressed the concern raised by some regarding the fact that the Original would allow any existing Proposed Amendments, which include references to NGC and that are implemented after CAP105 to have NGC replaced with NGET.
- 1.5 Centrica submitted two Consultation Alternative Amendments:

Consultation Alternative Amendment (B):- proposed amending the definition of NGC, but does not replace the short form of NGC within the CUSC, rather it simply proposed to change the name within the definition. Centrica believed this would be consistent with National Grid's intention not to amend the bilateral agreements.

Consultation Alternative Amendment (C):- proposed that the definition of NGC is changed to "the Company" and all references to NGC within the CUSC would be amended to "the Company," which would be defined as National Grid Electricity Transmission. This proposal would, in the view of the proposer, negate the need to undertake a similar exercise if National Grid changes its Company name again in the future.

### National Grid Recommendation

- 1.6 National Grid believes it is important that the Transmission Licence holder is identified within the CUSC in the clearest and most transparent manner possible. National Grid believes the Original Amendment Proposal offers the most pragmatic and proportionate approach to this exercise and will result in the least effort for the industry in the future (as it will mean that further Housekeeping Amendments will not need to be raised to correct NGC being re-introduced into the Code via future Housekeeping Amendments). However, National Grid's Alternative Amendment also better facilitates the applicable objectives, albeit not to the same extent as the Original Proposal.
- 1.7 The Original Amendment Proposal and National Grid's alternative both have the effect of making NGET clear on the face of the CUSC, in an identical way to that in the Grid Code and the SO-TO Code. National Grid sees little logic in adopting a different solution in the CUSC, to that which has already been seen to better facilitate the relevant applicable Objectives in the other

administered Codes and has been approved in the Grid Code and the SO-TO Code. National Grid believes that adopting a different approach here would potentially be confusing to the industry.

- 1.8 National Grid does not believe that either of Centrica's Consultation Alternative Amendments would better facilitate the Applicable CUSC Objectives. In either alternative, it would not be clear on the face of the Code who exactly the Transmission Licence entity was and would result in the CUSC using a different naming convention to that which has been adopted in the SO-TO Code and the Grid Code. National Grid opposes both Centrica's Alternative Amendments, and believes they potentially fail to add clarity and have the potential to create confusion.
- 1.9 It is recommended that CUSC be modified in line with CAP105 10 business days after an Authority decision.

## **2.0 PURPOSE AND SCOPE OF THE REPORT**

- 2.1 This Amendment Report has been prepared and issued by National Grid under the rules and procedures specified in the Connection and Use of System Code (CUSC) as designated by the Secretary of State. It addresses issues relating to the reflection in the CUSC of the change of name from National Grid to NGET.
- 2.2 Further to the submission of Amendment Proposal CAP105 (see Annex 1) and the subsequent wider industry consultations that were undertaken by National Grid, this document is addressed and furnished to the Gas and Electricity Markets Authority ("the Authority") in order to assist them in their decision whether to implement Amendment Proposals CAP105.
- 2.3 This document outlines the nature of the CUSC changes that are proposed. It incorporates National Grid's recommendations to the Authority concerning the Amendment. Copies of all representations received in response to the consultation have been also been included and a 'summary' of the representations received is also provided. Copies of each of the responses to the consultation are included as Annex 3 to this document.
- 2.4 This Amendment Report has been prepared in accordance with the terms of the CUSC. An electronic copy can be found on the National Grid website, at <http://www.nationalgrid.com/uk/indinfo/cusc>

### 3.0 THE PROPOSED AMENDMENT

#### Background

- 3.1 In July 2005 National Grid Transco changed the group name to National Grid plc. Due to the similarity between the group company name and the Transmission Licence holder name, (National Grid Company (NGC)), the Transmission Licence holder name has been changed to National Grid Electricity Transmission plc (NGET).
- 3.2 CAP105 was proposed by National Grid and submitted to the CUSC Amendments Panel for consideration at their meeting on 25th August 05. The Amendments Panel determined that CAP105 was ready to proceed to wider industry consultation by National Grid.

#### The Proposed Amendments

##### Original Amendment

- 3.3 CAP105 proposes to amend the CUSC to accurately reflect the new name of the Transmission Licence holder. In July 2005 National Grid Transco changed to National Grid plc. Due to the similarity between the group company name and the Transmission Licence holder name, National Grid Company (NGC) plc, the Transmission Licence holder name has been changed. However, the name change has no affect upon the legal identity of the company as the registered number and office remain unchanged. Hence whilst this name will aide clarity, National Grid would highlight that from a Legal perspective, the making of this change is not essential.
- 3.4 The Original Amendment Proposal has 3 elements. The first element proposes to amend the term NGC and its definition. The terms NGC Credit rating, NGC's Engineering Charges and NGC Website and any other references to NGC whether stand alone or in any associated defined terms containing NGC throughout the CUSC will require amendment to NGET.
- 3.5 The second element proposes an additional clause within section 6 to allow any references to NGC within any related documents, i.e. Bilateral Agreements and Construction Agreements following implementation to have the same meaning as NGET.
- 3.6 This aides efficiency as the change from NGC to NGET in all exiting agreements supplemented to the CUSC is effected without the need to specifically amend the individual agreements. This approach is in line with that adopted on the introduction of the CUSC from the MCUSA (clause 6.28).
- 3.7 The third element proposes an additional clause within section 8.24 to allow any existing Proposed Amendments, which include references to NGC or any associated terms containing NGC (e.g "NGC Credit Rating,") and are implemented after this Proposal Amendment to have NGC replaced with NGET. The proposer believes that the use of this clause is a pragmatic and sensible proposal, which will ensure that references to NGC are not inadvertently re-introduced into the CUSC via future Amendments, which would cause confusion, and waste industry time through the need for future housekeeping Amendments to remove erroneous references to NGC. The proposer also highlights that in its view this clause is entirely benign, and re-iterates that the correction it would allow the Authority to make to future Legal text is one that is both clearly defined, and entirely non-material.

### **Consultation Alternative Amendment (A)**

- 3.8 National Grid proposed Consultation Alternative A. This amendment seeks to address concerns raised at the Amendments Panel and by Centrica, regarding procedural aspects of the Original Amendment Proposal. The proposal amends the Original Proposal by omitting the clause which would have allowed any existing Proposed Amendments, which include references to NGC and that are implemented after CAP105 to have NGC replaced with NGET. This alternative proposal still provides an efficient and pragmatic approach by accurately identify the Transmission Licence holder within the CUSC. However if the alternative proposal were to be approved, there would be a need for future Housekeeping Amendments, if a later Amendment is approved that reintroduces NGC into the CUSC.

### **Consultation Alternative Amendment (B)**

- 3.9 Centrica proposed Consultation Alternative B. This proposal amends the definition of NGC but does not replace the short form of NGC within the CUSC. Centrica believes that this would be more efficient than the Original Amendment Proposal and would be consistent with National Grid's intention not to amend bilateral agreements.

### **Consultation Alternative Amendment (C)**

- 3.10 Centrica proposed Consultation Alternative (C). This proposal seeks to amend the definition of NGC to "the Company" and would replace all references to NGC within the CUSC to "the Company". Any modifications which were approved post approval of CAP105 that reintroduce NGC would be amended to "the Company" via a Housekeeping Amendment. Centrica believes this would be the most efficient method as it would negate the need to change all references within the CUSC, should National Grid change its company name again in the future.

## **4.0 IMPLEMENTATION AND TIMESCALES**

- 4.1 National Grid proposes that CAP105, if approved, should be implemented 10 days after an Authority decision. In accordance with 8.19.3(b) views were invited on this proposed implementation date, no responses to either the Original Consultation, or the Consultation Alternative Consultation proposed any change to the suggested implementation date. Hence, a consensus has emerged within the industry on the most appropriate implementation date for this Amendment, were the Authority to approve either the Original or any of the Alternatives.

## **5.0 IMPACT ON THE CUSC**

- 5.1 The amendments proposed by the CAP105 Original Amendment would require a change to: Definitions, Section 6 and Section 8, and a wholesale change from "NGC" to "The Company" in the existing CUSC baseline text.
- 5.2 The amendments proposed by CAP105 Consultation Alternative A would require a change to: Definitions and Section 6 and a wholesale change from "NGC" to "The Company" in the existing CUSC baseline text.
- 5.3 The amendments proposed by CAP105 Consultation Alternative B would require a change to: Definitions and a wholesale change from "NGC" to "The Company" in the existing CUSC baseline text.

- 5.4 The amendments proposed by CAP105 Consultation Alternative C would require a change to: Definitions, Section 6 and a wholesale change from “NGC” to “The Company” in the existing CUSC baseline text.
- 5.5 The text required to give effect to the Proposed Amendment and the three Consultation Alternative Amendments are contained as Annex 2 of this document.

## **6.0 ASSESSMENT AGAINST APPLICABLE CUSC OBJECTIVES**

- 6.1 National Grid believes that the Original Amendment Proposal and Consultation Alternative Amendment (A) would better facilitate the Applicable CUSC Objectives in that it would allow National Grid to efficiently discharge its obligations imposed on it by the Act and the Transmission Licence, by ensuring that the name of the Licence entity was clear throughout the User Codes.
- 6.2 National Grid does not believe that either of Centrica’s Consultation Alternative Amendments would better facilitate the Applicable CUSC Objectives. In either alternative, it would not be clear on the face of the code who exactly the Licence entity was and would result in the CUSC using a different naming convention to that which has been adopted in the SO-TO Code and the Grid Code. National Grid therefore oppose both Centrica’s Alternative Amendments, as we believe that rather than aiding clarity on this point (which was the reason why we proposed CAP105) it potentially obscures it. We also see little logic in adopting a different solution in the CUSC, to that which has already been approved in the Grid Code and the SO-TO Code, and believe that such a difference would potentially be confusing to the industry.

## **7.0 IMPACT ON CUSC PARTIES**

- 7.1 No impact has been identified on CUSC Parties from either the CAP105 Original Amendment or the CAP105 Consultation Alternative Amendments.

## **8.0 IMPACT ON CORE INDUSTRY DOCUMENTS**

No impact has been identified on Core Industry Documents or other industry documents from either the CAP105 Original Amendment or the CAP105 Consultation Alternative Amendments.

## **9.0 VIEWS AND REPRESENTATIONS**

- 9.1 This Section contains a summary of the views and representations made by consultees during the consultation period in respect of the Proposed Amendment and the Alternative Amendments (A), (B) and (C).

### **Views of Panel Members**

- 9.2 No responses to the CAP105 Consultation or the CAP105 Consultation Alternative Amendment Consultation were received from Panel Members.

### **View of Core Industry Document Owners**



- 9.3 No responses to the CAP105 Consultation or the CAP105 Consultation Alternative Amendment Consultation were received from Core Industry Document Owners.

### Responses to Consultation

- 9.4 The following table provides an overview of the representations received from the Original CAP105 Consultation. Copies of the representations are attached as Annex 3.

Reference	Company	Supportive	Comments
CAP105-CR-01	British Energy	Yes	Proposed changes are sensible and proportionate
CAP105-CR-02	Centrica	No	Proposed two Alternatives to the Original Amendment Consultation Alternatives (B) and (C).  Concern over efficiency, consistency and ability to alter legal text for amendments which are currently "in flight".

- 9.5 National Grid received a total of two responses to the Original CAP015 Consultation. The first respondent CAP105-CR-01 was supportive of the proposed changes. The second respondent was not supportive of the Proposed Amendment and proposed two Consultation Alternative Amendments.

### Responses to Consultation Alternative Amendment Consultation

- 9.6 The following table provides an overview of the representations received from the Consultation Alternative Amendment Consultation. Copies of the representations are attached as Annex 4.

Reference	Company	Supportive	Comments
CAP105-CAAC-01	Centrica	Alternative (B) and Alternative (C) only	Acknowledges improvements to Original in Alternative (A). Only fully supportive of Alternatives (B) and (C).

- 9.7 National Grid received one response to the Consultation Alternative Amendment Consultation. The respondent CAP105-CAAC-01 acknowledged the improvements made to the Original Amendment through the National Grid Alternative Amendment (A), however, was only supportive of the Consultation Alternatives (B) and (C).

## 10.0 SUMMARY OF PANEL MEMBERS VIEWS

- 10.1 The Panel considered the Original Amendment at its meeting on 25th August 05 and agreed that National Grid should proceed to industry consultation on CAP105.

**11.0 NATIONAL GRID RECOMMENDATION**

11.1 National Grid supports the amendments to the CUSC as detailed in CAP015 Consultation Alternative (A).

**12.0 COMMENTS ON DRAFT AMENDMENT REPORT**

12.1 National Grid received 2 responses following the publication of the draft Amendment Report. The following table provides an overview of each representation. Copies of the representations are attached as Annex 5.

Reference	Company	Summary of Comments
CAP105-AR-01	Centrica	Rebranding has already taken place and no confusion has been caused through use of National Grid vs NGC. Believes Alternatives B and C do better facilitate the Applicable CUSC Objectives. Does not believe that solutions employed to implement the change in other Codes are automatically suitable for CUSC.
CAP105-AR-02	SSE	Believes that Alternative C best facilitates the applicable CUSC Objectives, but acknowledges that both the Original and Alternatives A and B are better than the current base line. Believes that solutions employed to implement the change in CUSC should be appropriate for the CUSC and does not support the case for consistency with the other Codes. Highlights that in addition to National Grid both SSE and Scottish Power are Transmission Licence Holders.

**Annex 1 - Amendment Proposal Form**

<b>CUSC Amendment Proposal Form</b>	<b>CAP:105</b>
<b>Title of Amendment Proposal:</b> Change of Company Name for National Grid Company plc (NGC)	
<b>Description of the Proposed Amendment</b> (mandatory by proposer): It is proposed that the CUSC is amended to reflect the recent Company Name change of National Grid Company plc (NGC) to National Grid Electricity Transmission plc (NGET).	
<b>Description of Issue or Defect that Proposed Amendment seeks to Address</b> (mandatory by proposer): On the 27 <sup>th</sup> July 2005 the group Company Name for National Grid Transco changed to National Grid plc. Due to the similarity between the group company name and the Transmission Licence holder name, National Grid Company plc, the Transmission Licence holder name has been changed to National Grid Electricity Transmission plc (NGET).  It is proposed that the CUSC is amended to reflect the new company name to clearly identify National Grid Electricity Transmission plc.	
<b>Impact on the CUSC</b> ( <i>this should be given where possible</i> ): Changes to Section 11.3 – Definitions  The term NGC and its definition require amendment to reflect the new Company Name  <b>NGC NGET</b> National Grid <del>Electricity Transmission Company</del> plc (No 2366977) whose registered office is at the 1 – 3 Strand, London, WC2N 5EH  The terms NGC Credit Rating, NGC's Engineering Charges and NGC Website, and any reference to NGC throughout the CUSC will require amendment.  An additional clause is required in section 6 to allow any references to NGC within any related documents following the implementation of this Proposed Amendment to have the same meaning as NGET.  Finally, an additional clause is required in section 8.23 to allow any existing Proposed Amendments that include references to NGC and that are implemented after this Proposed Amendment to have NGC replaced within NGET, prior to the amendment of the CUSC.	
<b>Impact on Core Industry Documentation</b> ( <i>this should be given where possible</i> ): None anticipated	
<b>Impact on Computer Systems and Processes used by CUSC Parties</b> ( <i>this should be given where possible</i> ): None anticipated	
<b>Details of any Related Modifications to Other Industry Codes</b> ( <i>where known</i> ): CA014 – Potential Change of Company Name for National Grid Company (NGC) and Consequential Amendments to the STC  F/05 – Proposed change to Grid Code to incorporate the new Company Name	

<b>Justification for Proposed Amendment with Reference to Applicable CUSC Objectives**</b> (mandatory by proposer): The proposed amendment will aid efficiency in the implementation and discharge of licence objectives by accurately referring to the new name of Transmission Licence holder.	
<b>Details of Proposer:</b> Organisation's Name:	National Grid Electricity Transmission plc
<i>Capacity in which the Amendment is being proposed:</i> (i.e. CUSC Party, BSC Party or "energywatch")	CUSC Party
<b>Details of Proposer's Representative:</b> Name: Organisation: Telephone Number: Email Address:	Emma Carr National Grid Electricity Transmission plc 01926 655843 <a href="mailto:emma.j.carr@ngtuk.com">emma.j.carr@ngtuk.com</a>
<b>Details of Representative's Alternate:</b> Name: Organisation: Telephone Number: Email Address:	Andrew Truswell National Grid Electricity Transmission plc 01926 656388 <a href="mailto:andrew.truswell@ngtuk.com">andrew.truswell@ngtuk.com</a>
<b>Attachments (Yes/No):</b> No <b>If Yes, Title and No. of pages of each Attachment:</b>	

**Notes:**

1. *Those wishing to propose an Amendment to the CUSC should do so by filling in this "Amendment Proposal Form" that is based on the provisions contained in Section 8.15 of the CUSC. The form seeks to ascertain details about the Amendment Proposal so that the Amendments Panel can determine more clearly whether the proposal should be considered by a Working Group or go straight to wider National Grid Consultation.*
2. *The Panel Secretary will check that the form has been completed, in accordance with the requirements of the CUSC, prior to submitting it to the Panel. If the Panel Secretary accepts the Amendment Proposal form as complete, then he will write back to the Proposer informing him of the reference number for the Amendment Proposal and the date on which the Proposal will be considered by the Panel. If, in the opinion of the Panel Secretary, the form fails to provide the information required in the CUSC, then he may reject the Proposal. The Panel Secretary will inform the Proposer of the rejection and report the matter to the Panel at their next meeting. The Panel can reverse the Panel Secretary's decision and if this happens the Panel Secretary will inform the Proposer.*

The completed form should be returned to:

Richard Dunn  
Panel Secretary  
Commercial Frameworks  
National Grid Company plc  
NGT House  
Warwick Technology Park  
Gallows Hill  
Warwick, CV34 6DA  
Or via e-mail to: [CUSC.Team@uk.ngrid.com](mailto:CUSC.Team@uk.ngrid.com)

(Participants submitting this form by email will need to send a statement to the effect that the proposer acknowledges that on acceptance of the proposal for consideration by the Amendments Panel, a proposer which is not a CUSC Party shall grant a licence in accordance with Paragraph 8.15.7 of the CUSC. A Proposer that is a CUSC Party shall be deemed to have granted this Licence).

3. Applicable CUSC Objectives\*\* - These are defined within the National Grid Company Transmission Licence under Section C10, paragraph 1. Reference should be made to this section when considering a proposed amendment.

## Annex 2 – Proposed Text to modify CUSC

### Part A - Text to give effect to the Proposed Amendment

#### Clean Version

1. The definition of “**NGC**” within the **CUSC** baseline text shall be amended as follows by inserting the text coloured underlined text and deleting the coloured text shown struck through

**NGC** **NGET** National Grid Electricity Transmission Company ~~Company~~ plc (No 2366977) whose registered office is at the 1 – 3 Strand, London, WC2N 5EH

2. Replace all references to “**NGC**” whether stand alone or in any associated defined terms containing “**NGC**,” within the **CUSC** baseline text with “**NGET**”
3. Insert the following as a new Clause 6.32

#### 6.32 Change from “**NGC**” to “**NGET**”

The **CUSC Parties** agree that references to “**NGC**” in any relevant document as at the time and date for implementation of the **Authority’s** direction under **CUSC** Paragraph 8.23.1 approving the **Proposed Amendment** in respect of the change from “**NGC**” to “**NGET**” shall be read as reference to “**NGET**”.

4. Amend the content page to Section 6 of the **CUSC** by adding the following

#### 6.32 Change from “**NGC**” to “**NGET**”

5. Insert the following as a new Clause 8.24

#### 8.24 Change from “**NGC**” to “**NGET**”

Following the **Authority’s** direction under **CUSC** Paragraph 8.23.1 approving the **Proposed Amendment** in respect of the change from “**NGC**” to “**NGET**” (the “**Change**”), there will be some **Proposed Amendments** being dealt with under the **Amendment Procedures** which will, still refer in the legal text for such **Proposed Amendments** to “**NGC**”. The **CUSC Parties** agree that immediately following the time and date for implementation of the **Change** any reference to “**NGC**” in the legal text within any **Amendment Report** or any **Housekeeping Amendment Report** with the **Authority** for approval shall be amended so that within such legal text references to “**NGC**” are replaced with references to “**NGET**”.

6. Amend the content page to Section 8 of the **CUSC** by adding the following

#### 8.24 Change from “**NGC**” to “**NGET**”

## Part B - Text to give effect to the Consultation Alternative Amendment (A)

1. The definition of “**NGC**” within the **CUSC** baseline text shall be amended as follows by inserting the text coloured underlined text and deleting the coloured text shown struck through

**NGC NGET** National Grid Electricity Transmission Company plc (No 2366977) whose registered office is at the 1 – 3 Strand, London, WC2N 5EH

2. Replace all references to “**NGC**” within the **CUSC** baseline text within “**NGET**”
3. Insert the following as a new Clause 6.32

6.32 Change from “**NGC**” to “**NGET**”

The **CUSC Parties** agree that references to “**NGC**” in any relevant document as at the time and date for implementation of the **Authority’s** direction under **CUSC** Paragraph 8.23.1 approving the **Proposed Amendment** in respect of the change from “**NGC**” to “**NGET**” shall be read as reference to “**NGET**”.

4. Amend the content page to Section 6 of the **CUSC** by adding the following
- 6.32 Change from “**NGC**” to “**NGET**”

## Part C - Text to give effect to the Consultation Alternative Amendment (B)

1. The definition of “**NGC**” within the **CUSC** baseline text shall be amended as follows by inserting the text coloured underlined text and deleting the coloured text shown struck through

**NGC** National Grid Electricity Transmission Company plc (No 2366977) whose registered office is at the 1 – 3 Strand, London, WC2N 5EH

## Part D - Text to give effect to the Consultation Alternative Amendment (C)

1. The definition of “**NGC**” within the **CUSC** baseline text shall be amended as follows by inserting the text coloured underlined text and deleting the coloured text shown struck through

**NGC The Company** National Grid Electricity Transmission Company plc (No 2366977) whose registered office is at the 1 – 3 Strand, London, WC2N 5EH

2. Replace all references to “**NGC**” within the **CUSC** baseline text within “**The Company**”
  3. Insert the following as a new Clause 6.32
- 6.32 Change from “**NGC**” to “**The Company**”

The **CUSC Parties** agree that references to “**NGC**” in any relevant document as at the time and date for implementation of the **Authority’s** direction under **CUSC** Paragraph 8.23.1 approving the **Proposed Amendment** in respect of the change from “**NGC**” to “**The Company**” shall be read as reference to “**The Company**”.



### Annex 3 – Copies of Representations Received to Consultation

This Annex includes copies of any representations received following circulation of the Consultation Document (circulated on 2<sup>nd</sup> September 2005, requesting comments by close of business on 3<sup>rd</sup> October 2005).

Representations were received from the following parties:

No.	Company	File Number
1	British Energy	CAP105-CR-01
2	Centrica	CAP105-CR-02

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<b>Reference</b>	CAP105-CR-01
<b>Company</b>	British Energy

**From:** Capener John [john.capener@british-energy.com]  
**Sent:** 22 September 2005 10:32  
**To:** CUSC Team; Paradine, Lindsey  
**Cc:** Allport Louise; Phillips Steve  
**Subject:** CAP105 - British Energy Response to formal consultation

Lindsey,

British Energy is supportive of the changes proposed under CUSC Amendment Proposal CAP105 the three elements of change seem entirely sensible and proportionate.

Regards  
John

<b>Reference</b>	CAP105-CR-02
<b>Company</b>	Centrica



*taking care of the essentials*

Lindsey Paradine  
Commercial  
National Grid plc  
National Grid Transco House  
Warwick Technology Park  
Gallows Hill  
Warwick  
CV34 6DA

Centrica Energy  
Millstream East,  
Maidenhead Road,  
Windsor,  
Berkshire SL4 5GD

Tel. (01753) 431051  
Fax (01753) 431150  
www.centrica.com  
Our Ref.  
Your Ref.  
14 November 2018

Dear Lindsey,

### **CUSC Amendment Proposal CAP105 – National Grid’s name change**

Thank you for the opportunity to respond to your recent consultation document on the above referenced CUSC Amendment Proposal. Centrica recognises that it may not be strictly necessary to make any change, as noted in Para 7.1 of the Consultation document, since the Company Registration etc. has not been amended, however we agree that if there is an easy, efficient and effective means of doing so, then such a change may further the relevant objectives.

As such we believe there are a number of issues to be considered these are:

- a) Is the NGC proposal the most efficient and effective way of making the change? Since the proposal requires every reference to “NGC” to be amended there is obviously a large number of changes to the legal text of the CUSC to be made. This may not be efficient. We would also note that should NGC change its name again in the future then we would be faced with a similar exercise which means that the change may not be efficient.
- b) Is there a better way of achieving the same result? There appear to be two alternatives that would achieve the same effect with less impact, these are:
  - i) Leave NGC as the short form identifier, but update the information in the Definitions section to the new Company name etc. This avoids the need for any new clause to catch Amendments “in flight”.
  - ii) Change the defined name from NGC to “the Company” such that any future change of name or detail would not necessitate such extensive changes to the CUSC.
- c) We are concerned with the proposal to add a new clause 8.24 to allow any CUSC Amendments with Ofgem to have legal text updated if Ofgem were to approve this Amendment Proposal. Whilst we recognise there are merits in trying to limit the effort required to make changes we share the concerns expressed by Ofgem during discussions of the proposal. As such we do not support this element of the Amendment. Should any legal text be required to be

changed as a consequence of the approval of this Amendment this can be dealt with via the Housekeeping Amendments route.

- d) Consistency – since the Amendment Proposal only intends to amend the CUSC and not the bilateral Agreements that surround the CUSC there will still be a large number of documents that refer to NGC being used in the industry. As such either of the proposals in b) above would appear to have merit.

In conclusion we do not support this Amendment Proposal and would propose three Consultation Alternative Amendments, being:

- 1) The detail described in bi) above,
- 2) The detail described in bii) above which would then use the Housekeeping Amendment route as described in d) above to catch any Amendments in flight”.

If you have any questions regarding this response please do not hesitate to contact me on 01753 431051.

Yours sincerely,

Simon Goldring  
Head of Transportation

**Annex 4 – Copies of Representations Received to Consultation  
Alternative Amendment Consultation**

This Annex includes copies of any representations received following circulation of the Consultation Document (circulated on 6<sup>th</sup> October 2005, requesting comments by close of business on 20<sup>th</sup> October 2005).

Representations were received from the following parties:

<b>No.</b>	<b>Company</b>	<b>File Number</b>
1	Centrica	CAP105-CAAC-01

<b>Reference</b>	CAP105-CAAC-01
<b>Company</b>	Centrica



*taking care of the essentials*

Lindsey Paradine  
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Tel. (01753) 431051  
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www.centrica.com  
Our Ref.  
Your Ref.  
14 November 2018

Dear Lindsey,

### **CUSC Amendment Proposal CAP105 – National Grid’s name change**

Thank you for the opportunity to respond to your consultation document dated 6<sup>th</sup> October on the above referenced CUSC Amendment Proposal and the Consultation Alternative Amendments.

Centrica welcome the NGC Consultation Alternative Amendment (Alt A) removing the automatic replacement in the legal drafting of any amendment proposals “in flight”. We believe this to be better than the original Proposal.

However, whilst we understand that they may not met NGC’s aspirations to rebrand the CUSC, we continue to believe that either of our proposals (Alternatives B and C) would equally meet the relevant objectives, and be more efficient, either in minimising any change to documentation now (Alt B) or potentially in the future (Alt C).

If you have any questions regarding this response please do not hesitate to contact me on 01753 431051.

Yours sincerely,

Simon Goldring  
Head of Transportation

## **Annex 5 – Copies of Comments received on the Proposed Amendment Report**

This Annex includes copies of any representations received following circulation of the Draft Amendment Report (circulated on 26<sup>th</sup> October 2005, requesting comments by close of business on 1<sup>st</sup> November 2005).

Representations were received from the following parties:

<b>No.</b>	<b>Company</b>	<b>File Number</b>
1	Centrica	CAP105-AR-01
2	SSE	CAP105-AR-02

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<b>Reference</b>	CAP105-AR-1
<b>Company</b>	Centrica

**From:** Goldring, Simon [Simon.Goldring@centrica.co.uk]

**Sent:** 01 November 2005 16:15

**To:** Paradine, Lindsey

**Subject:** RE: Amendment Report CAP105

Lindsey,

Further to the Amendment Report prepared by National Grid, and in response to the comments made in the report we comment on their accuracy as follows:

- 1.6.1.7 - since national grid have already rebranded themselves and identify their new identity on CUSC documents such as this Amendment Report as "national grid" we do not accept that there would be any confusion;
- 1.8 - we believe that the Alternatives B & C do better the relevant CUSC objectives,
- 1.7 - we would also note that we are not persuaded that the solutions used in other Codes are automatically the best solution for the CUSC.

Regards  
Simon Goldring



<b>Reference</b>	CAP105-AR-2
<b>Company</b>	SSE

**From:** [Garth.Graham@scottish-southern.co.uk](mailto:Garth.Graham@scottish-southern.co.uk)

**Sent:** 01 November 2005 17:42

**To:** GoldIC, Industry Codes

**Subject:** Re: Draft Amendment Report for CAP105 - with attachment

Dear Sirs,

This response is sent on behalf of Scottish and Southern Energy, Southern Electric, Keadby Generation Ltd., Medway Power Ltd., and SSE Energy Supply Ltd.

In relation to the consultation concerning the report associated with CUSC Amendment Proposal CAP105 "Change of Company Name for National Grid Company plc" (contained within your note of 26th October 2005), we have the following comments to make.

We refer to the comments in paragraph 1.6 that "National Grid believes it is important that the Transmission Licence holder is identified within the CUSC" and note that we too (as well as Scottish Power) are also holders of a "Transmission Licence".

In respect to the comments in paragraph 6.2 (regarding consistency with the Grid Code and SO-TO Code) we would prefer to get the most appropriate solution for the CUSC. If this were, in effect, to illustrate a deficiency in either the Grid Code or SO-TO Code then these deficiencies should (and could) be addressed by National Grid at its earliest convenience.

Taking this into account, and in order to achieve "the clearest and most transparent" approach we believe that the (Centrica's) Consultation Alternative C should be implemented in preference to either the 'original' or the other alternatives proposed.

In conclusion, with respect to the 'original' proposal we do believe that it better facilitates the achievement of the Applicable CUSC Objectives when compared to the existing baseline version of the CUSC.

Regarding Alternatives A and B we believe that they both better facilitate the achievement of the Applicable CUSC Objectives when compared to the existing baseline version of the CUSC.

However, on reflection we believe that Alternative C both better facilitates the achievement of the Applicable CUSC Objectives when compared to the existing baseline version of the CUSC and is also better than either the 'original' or Alternatives A and B.

Regards

Garth Graham

Scottish and Southern Energy plc